IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 526 OF 2005

Keshubhai Bhikalal Mistry. ... Appellant.
Versus.
Mulraj Purushottam Kabali. ... Respondent.

Ms.Gauri Jadhav for the Appellant.

CORAM : ABHAY S. OKA, J.

DATED : 26th April, 2005.

P.C.:

1. Heard the learned Counsel appearing for the parties. By the impugned Judgment and order dated 29th August 1996 temporary injunction has been granted against the Appellant/Defendant. The said order is operating for last more than 9 years as this Court has not granted any ad-interim relief till today.

2. The order of temporary injunction being a discretionary order cannot be interfered with after such a long lapse of time.

3. Hence the Appeal from Order is dismissed with no order as to costs.

4. All contentions of the parties in the pending suit are expressed kept open. The learned trial Judge will decide the suit uninfluenced by the observations made in the impugned judgment and order.

5. Parties to act on an authenticated copy of the order.

Judge.